IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

OP.No. 99 of 1997(J)

PETITIONERS:
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1. **M.K.SUNITHA, D/O.KANDAPPAN,**
   MANGALAPPALLY HOUSE,
   PARIYARAM P.O., TRICHUR.

2. **K.THANKAMANI, D/O.KUTTAI, AGED 26,**
   KIZHANGALAPPARAMBIL HOUSE,
   THANALUR P.O., MALAPPURAM.

3. **SHEEBA JACOB, W/O.RAMAKRISHNAN,**
   MUKKADA COLONY, B.NO.42,
   MATHANAM P.O., KUNNAMTHANAM, THIRUVALLA.

BY ADV. SRI.V.V.SURENDRAN

RESPONDENTS:
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1. **STATE OF KERALA, REP.BY**
   THE SECRETARY, HEALTH AND FAMILY
   WELFARE DEPARTMENT, THIRUVANANTHAPURAM.

2. **THE DIRECTOR OF HEALTH SERVICES,**
   THIRUVANANTHAPURAM.

3. **THE DISTRICT MEDICAL OFFICER, HEALTH,**
   PALAKKAD.

BY GOVERNMENT PLEADER SRI.P.K.RAVIKRISHNAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 12/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.116/1997 IN OP. NO.99/1997

DISMISSED

12.02.2007 **SD/- K.PADMANABHAN NAIR, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ORDER OF THE APPOINTMENT NO.A4-6565/92/DMOH DT.11.3.92 OF THE 1ST PETITIONER ISSUED BY THE 3RD RESPONDENT.

EXT.P2:- COPY OF THE ORDER NO.A4-1940/95 DT.15.2.95 OF RE-APPOINTMENT OF 1ST PETITIONER, ISSUED BY THE DMOH, PALAKKAD.

EXT.P3:- COPY OF THE LETTER NO.A4/4502/91 OF DOMH, PALAKKAD, DT.20.1.94.

EXT.P4:- COPY OF THE ORDER OF THE SUPREME COURT OF INDIA IN WP NO.493 OF 1991.

EXT.P5:- COPY OF THE GOVERNMENT ORDER NO.G.O.(MS) NO.379/96/H & FWD DT.7.12.96.

EXT.P6:- COPY OF THE JUDGMENT OF THE HONOURABLE HIGH COURT IN OP. NO.12888/96-H DT.19.8.94.

EXT.P7:- COPY OF THE ORDER OF THE HONOURABLE HIGH COURT IN CMP. 35708/96 IN OP. 19808/96 DT.17.12.96.

/TRUE COPY/

tss

K.PADMANABHAN NAIR, J.

O.P.No. 99 OF 1997

Dated this the 12th day of February, 2007

J U D G M E N T

The petitioner is a provisional employee appointed under Rule 9(a)(i) of the Kerala State and Subordinate Service Rules, 1959. It is now settled law that such provisional employees do not have any right to claim continuance or regularisation.

The writ petition is hence dismissed.

(K.PADMANABHAN NAIR, JUDGE)

ps

K.PADMANABHAN NAIR, J.

O.P.No.99 OF 1997

J U D G M E N T

12th February, 2007